

TERRY G. LLOYD, JR. §
VS. § CIVIL ACTION NO. 5:09cv161
DIRECTOR, TDCJ-CID §

Petitioner Terry G. LLOYD, Jr., an inmate at the Cole Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The court heretofore referred this matter to a United States Magistrate Judge for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends petitioner's motion to proceed *in forma pauperis* be denied and petitioner be ordered to pay the \$5.00 filing fee.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore,

ORDERED that petitioner's motion to proceed *in forma pauperis* is **DENIED**. It is further

ORDERED that petitioner shall, within thirty (30) days from the date of this order, pay the \$5.00 filing fee for this action. Petitioner's failure to pay the filing fee as ordered may result in the dismissal of this petition for want of prosecution pursuant to FED. R. CIV. P. 41(b).

SIGNED this 8th day of March, 2010.

A handwritten signature in black ink, appearing to read "David Folsom", is written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE